



DEPARTMENT OF DEFENSE

U.S. JOINT FORCES COMMAND
1562 MITSCHER AVENUE, SUITE 200
NORFOLK, VA 23551-2488

IN REPLY REFER TO:

J02

MAY 12 2011

Mr. Jason Smathers
c/o MuckRock
185 Beacon Street, #3
Somerville, MA 02143

Dear Mr. Smathers,

U.S. Joint Forces Command (USJFCOM) received your Freedom of Information Act (FOIA) request, dated 21 December 2010, for copies of records regarding the processing status of the five (5) oldest FOIA and Privacy Act files pending at USJFCOM at the time your request was received. Your electronic request (Attachment 1) was received on 21 December 2010, and was assigned case number USJFCOMFOIA 14-11.

I understand that, after you submitted your request and during discussions with Lieutenant Colonel (LTC) Paul Brandau, you clarified the scope of the records you are seeking. As a result of that clarification, those documents within each of the five oldest FOIA files that describe USJFCOM's efforts to process those files are herein provided. Further, no copies of any records that were responsive to those FOIA files are included. The scope of your request does not require USJFCOM to conduct a classification review, nor is USJFCOM required to coordinate with other agencies for the release of non-USJFCOM originated documents. In addition, USJFCOM is providing you with details of document processing on the five oldest FOIA files.

This letter and the attached documents constitute USJFCOM's final response to your FOIA request. Exemptions 5 U.S.C. § 552(b)(3), (b)(5), and (b)(6) were applied to some information contained in the attached records, and non-responsive information is also withheld. No page count was made of any whole documents that are withheld in their entirety pursuant to the scope of your request.

1. File numbers 19-07, 02-09, and 03-09.

a. Attached are 59 pages of responsive records (Attachment 2).

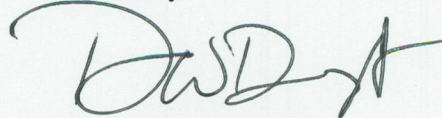
b. USJFCOM received request 19-07 on 2 July 2007, and requests 02-09 and 03-09 were received on 3 October 2008. The earliest processing documentation is dated 6 October 2008, and references requests 02-09 and 03-09. Requests 02-09 and 03-09 were submitted by the same organization, and the requester subsequently approved the consolidation of these two (2) requests. Request 19-07 is for specific After Action Reports (AARs), which are also responsive to requests 02-09 and 03-09. All potentially responsive USJFCOM records are maintained by the Joint Personnel Recovery Agency (JPRA), a subordinate command of USJFCOM.

Please be advised that no Privacy Act requests were pending when your FOIA request was received.

No fees are assessed for this response. However, please be advised that fee categories, fee waivers, and fee determinations are made on a case-by-case basis, and previous determinations are not considered when making future determinations.

Please contact LTC Paul Brandau at (757) 836-6415 if you have any questions regarding this response. In the alternative, you have the right to appeal this response to the Director of Administration and Management, Office of the Secretary of Defense. Your appeal must be in writing and addressed to: Director, Defense Freedom of Information Policy Office, Attn: Mr. James Hogan, 1155 Defense Pentagon, Washington, D.C. 20301-1155. The appeal must be postmarked no later than 60 calendar days after the date of this letter. A copy of this letter should be attached to your appeal, along with a statement regarding why your appeal should be granted. It is recommended that the letter of appeal and the envelope both bear the notation: "Freedom of Information Act Appeal."

Sincerely,

A handwritten signature in dark ink, appearing to read 'DWD', with a stylized flourish extending from the end.

D. W. DAVENPORT
Rear Admiral, U.S. Navy
Chief of Staff

Attachments:

1. Original Request dated 21 December 2010
2. Email dated 27 December 2010
3. Responsive Records – Files 19-07, 02-09 and 03-09 (59 Pages)
4. Responsive Records – File 12-08 (60 Pages)
5. Responsive Records – File 30-09 (43 Pages)